

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 903**

Introduced by Preister, 5; Cornett, 45

Read first time January 5, 2006

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to state institutions; to amend sections 80-315  
2 and 83-107.01, Reissue Revised Statutes of Nebraska, and  
3 section 81-1316, Revised Statutes Cumulative Supplement,  
4 2004; to rename a veteran's home; to harmonize  
5 provisions; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 80-315, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           80-315 (1) The Grand Island Veterans' Home, the Norfolk  
4 Veterans' Home, the ~~Thomas Fitzgerald~~ Bellevue Veterans' Home, and  
5 the Western Nebraska Veterans' Home are established. The State of  
6 Nebraska shall maintain the homes as provided in sections 80-314 to  
7 80-331.

8           (2) The veterans' home known as the Thomas Fitzgerald  
9 Veterans' Home prior to July 1, 2006, shall be known as the  
10 Bellevue Veterans' Home on and after July 1, 2006.

11          Sec. 2. Section 81-1316, Revised Statutes Cumulative  
12 Supplement, 2004, is amended to read:

13          81-1316 (1) All agencies and personnel of state  
14 government shall be covered by sections 81-1301 to 81-1319 and  
15 shall be considered subject to the State Personnel System, except  
16 the following:

17           (a) All personnel of the office of the Governor;

18           (b) All personnel of the office of the Lieutenant  
19 Governor;

20           (c) All personnel of the office of the Secretary of  
21 State;

22           (d) All personnel of the office of the State Treasurer;

23           (e) All personnel of the office of the Attorney General;

24           (f) All personnel of the office of the Auditor of Public  
25 Accounts;

- 1 (g) All personnel of the Legislature;
- 2 (h) All personnel of the court systems;
- 3 (i) All personnel of the Board of Educational Lands and  
4 Funds;
- 5 (j) All personnel of the Public Service Commission;
- 6 (k) All personnel of the Nebraska Brand Committee;
- 7 (l) All personnel of the Commission of Industrial  
8 Relations;
- 9 (m) All personnel of the State Department of Education;
- 10 (n) All personnel of the Nebraska state colleges and the  
11 Board of Trustees of the Nebraska State Colleges;
- 12 (o) All personnel of the University of Nebraska;
- 13 (p) All personnel of the Coordinating Commission for  
14 Postsecondary Education;
- 15 (q) All personnel of the Governor's Policy Research  
16 Office, but not to include personnel within the State Energy  
17 Office;
- 18 (r) All personnel of the Commission on Public Advocacy;
- 19 (s) All agency heads;
- 20 (t) The Director of Medical Services established under  
21 section 83-125 and the chief executive officers of the Beatrice  
22 State Developmental Center, Lincoln Regional Center, Norfolk  
23 Regional Center, Hastings Regional Center, Grand Island Veterans'  
24 Home, Norfolk Veterans' Home, ~~Thomas Fitzgerald~~ Bellevue Veterans'  
25 Home, Western Nebraska Veterans' Home, Youth Rehabilitation and

1 Treatment Center-Kearney, and Youth Rehabilitation and Treatment  
2 Center-Geneva;

3 (u) All personnel employed as pharmacists, physicians,  
4 psychiatrists, or psychologists of the Department of Health and  
5 Human Services, the Department of Health and Human Services Finance  
6 and Support, and the Department of Health and Human Services  
7 Regulation and Licensure; and

8 (v) Deputies and examiners of the Department of Banking  
9 and Finance and the Department of Insurance as set forth in  
10 sections 8-105 and 44-119, except for those deputies and examiners  
11 who remain in the State Personnel System.

12 (2) At each agency head's discretion, up to the following  
13 number of additional positions may be exempted from the State  
14 Personnel System, based on the following agency size categories:

15	Number of Agency	Number of Noncovered
16	Employees	Positions
17	less than 25	0
18	25 to 100	1
19	101 to 250	2
20	251 to 500	3
21	501 to 1000	4
22	1001 to 2000	5
23	2001 to 3000	8
24	3001 to 4000	11
25	4001 to 5000	14

1 over 5000

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2 The purpose of having such noncovered positions shall  
3 be to allow agency heads the opportunity to recruit, hire,  
4 and supervise critical, confidential, or policymaking personnel  
5 without restrictions from selection procedures, compensation rules,  
6 career protections, and grievance privileges. Persons holding the  
7 noncovered positions shall serve at the pleasure of the agency head  
8 and shall be paid salaries set by the agency head.

9 (3) No changes to this section or to the number of  
10 noncovered positions within an agency shall affect the status  
11 of personnel employed on the date the changes become operative  
12 without their prior written agreement. A state employee's career  
13 protections or coverage by personnel rules and regulations shall  
14 not be revoked by redesignation of the employee's position as a  
15 noncovered position without the prior written agreement of such  
16 employee.

17 Sec. 3. Section 83-107.01, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 83-107.01 The official names of the state institutions  
20 under the supervision of the Department of Health and Human  
21 Services shall be as follows: (1) Beatrice State Developmental  
22 Center, (2) Lincoln Regional Center, (3) Norfolk Regional Center,  
23 (4) Hastings Regional Center, (5) Grand Island Veterans' Home, (6)  
24 Norfolk Veterans' Home, (7) ~~Thomas Fitzgerald~~ Bellevue Veterans'

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1 Home, (8) Western Nebraska Veterans' Home, (9) Youth Rehabilitation  
2 and Treatment Center-Kearney, and (10) Youth Rehabilitation and  
3 Treatment Center-Geneva.

4 Sec. 4. Original sections 80-315 and 83-107.01, Reissue  
5 Revised Statutes of Nebraska, and section 81-1316, Revised Statutes  
6 Cumulative Supplement, 2004, are repealed.